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Debtor and Debtor in Possession

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

HELLER EHRMAN LLP,

Debtor.

Case No.: 08-32514

Chapter 11

**NOTICE AND OPPORTUNITY FOR
HEARING ON OBJECTION TO PROOF OF
CLAIM FILED BY FILED BORTON [CLAIM
NO. 718]**

[Pursuant to B.L.R. 9014-1, no hearing unless
objection filed or hearing requested]

**TO THE HONORABLE DENNIS MONTALI, UNITED STATES BANKRUPTCY JUDGE;
ROBERT BORTON AND HIS ATTORNEY OF RECORD; THE OFFICE OF THE UNITED
STATES TRUSTEE; AND OTHER PARTIES ENTITLED TO NOTICE:**

PLEASE TAKE NOTICE that Heller Ehrman LLP, the debtor and debtor-in-possession in the above-captioned case (the "Debtor"), hereby objects to the claims as identified in the *Objection to Proof of Claim Filed by Robert Borton [Claim No. 718]* (the "Objection"). The Objection affects claimant Robert Borton ("Claimant"). You should therefore carefully review the exhibits to the Objection to determine how your claim is affected.

PLEASE TAKE FURTHER NOTICE that, pursuant to Bankruptcy Local Rule 9014-1(b)(3), any opposition to or request for hearing on the Objection must be filed with the Court (which is located at 235 Pine Street, San Francisco, CA 94104-2791) and served upon counsel for the Debtor (at the address set forth above) so that it is received within twenty one (21) days of the date of this Notice. Any opposition or request for hearing must be accompanied by any

1 declarations or memoranda of law that the opposing or requesting party wishes to present in
2 support of its position. If an opposition or request for hearing is timely filed and served, the
3 Debtor will set the matter for hearing and will provide at least seven (7) days' written notice of
4 the hearing to the opposing or requesting party. If there is no timely opposition or request for
5 hearing, the Court may decide that you do not oppose the Objection to your claim and may
6 grant the relief requested in the Objection by default.

7 PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 3007-1 of the United
8 States Bankruptcy Court for the Northern District of California, where a factual dispute is involved,
9 the initial hearing on the objection shall be deemed a status conference at which the Court will not
10 receive evidence. Where the objection involves only a matter of law, the matter may be argued at
11 the initial hearing.

12 PLEASE TAKE FURTHER NOTICE that the Debtor reserves: (a) the right to object to or
13 seek disallowance or reclassification of any claim that is subject to the Objection on any other
14 grounds as the Debtor or its successors may later assert; (b) the right to assert any claims, demands
15 for relief requiring an adversary proceeding consistent with Rule 3007(b) and Rule 7001 the Federal
16 Rules of Bankruptcy Procedure, counterclaims, rights of offset or recoupment, preference actions,
17 fraudulent-transfer actions, or any other bankruptcy or non-bankruptcy claims and causes of action
18 against the claimants whose claims are subject to the Objection; and (c) the right to withdraw
19 without prejudice the Objection as it applies to any claim that is subject to the Objection prior to the
20 hearing thereon and, in case of any such withdrawal, to assert the same (or other) objections to that
21 claim in a later objection (or later objections) to that claim.

22 Dated: August 31, 2010

PACHULSKI STANG ZIEHL & JONES LLP

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24 By /s/ John D. Fiero

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